GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri N.Mohan Kumar, P&EI (Retired) involved in the liquor syndicate case of Chittoor District – Implemented the orders dated 05.11.2019 in WP.No.16232 of 2019 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 15.02.2023 in W.P.No.2965 of 2023 filed by Sri N.Mohan Kumar, P&EI(Retired), Chittoor District for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.747 **Dated:16.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.65/RCO-TCT/2012, Dated:05-11-2012
2. Govt. Memo.No.49991/VIG.IV(2)/2012-1, dated:21-12-2012.
3. Orders dated 05.11.2019 of Hon'ble High Court in W.P.No.16232 of 2019 filed by Sri N.Mohan Kumar, P&EI(Retired)
4. G.O.Rt.No.163 Revenue (Vig.III) Dept, dated:10.03.2022.
5. Orders dated:15.02.2023 of Hon'ble High Court in W.P.No.2965 of 2023 filed by Sri N.Mohan Kumar, P&EI(Retired),Chittoor District
6. Representation dated:20.03.2023 from Sri N.Mohan Kumar, P&EI(Retired), Chittoor District.
7. Letter.Cr.No.6352/2019/CPE/C4,dated:13.04.2023 from the Commissioner of Proh.& Excise Dept, AP, Vijayawada

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ORDER:

Whereas Sri N.Mohan Kumar, P&EI(Retired), while in service was involved in the Liquor Syndicate case of Chittoor district along with other Prohibition and Excise officials and recommended on his defense before TDP by DG, ACB. After following due procedure, Government entrusted his case to TDP along with other P&E officials. Subsequently, he was retired from service on 28.02.2017. The TDP has issued charge memo against him in TEC No.726/2013, dated 08.07.2019. Sri N.Mohan Kumar, P&EI(Retired) was filed W.P.No.16232/2019 before the Hon'ble High Court on the charge memo. The Hon'ble High Court in it orders dated 05.11.2019 quashing the charge memo and stated that the petitioner is entitled to all consequential pensioner and other retirement benefits. Further, Sri N.Mohan Kumar, P&EI(Retired) has fled contempt case No.894 of 2020 for not implementing the orders dated 05.11.2019 in WP No.16232 of 2019.

2. Whereas, in the reference 4th read above, the Government issued orders implementing the orders of Hon'ble High Court and sanctioned pensionery benefits to Sri N.Mohan Kumar, P&EI(Retired).

3. Whereas in the reference 5th read above, Sri N.Mohan Kumar, P&EI (Retired), has ffiled W.P.No.2965 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

4. And whereas, the Hon'ble High Court in its order dated 15.02.2023 in W.P.No.2965 of 2023 has passed orders directing the respondents to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

5. Whereas in the reference 7th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri N.Mohan Kumar, P&EI(Retired), has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

(PTO)

6. Government after careful examination of the matter, and keeping in view of the orders dated 15.02.2023 in W.P.No.2965 of 2023 filed by Sri N.Mohan Kumar, P&EI(Retired), have decided to implement the orders of Hon'ble High Court dated 15.02.2023 and to pay the interest @ 9% p.a., on the delayed pensionery benefits to Sri N.Mohan Kumar, P&E Inspector(Retired).

7. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri N.Mohan Kumar, P&E Inspector (Retired).

8. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

9. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated: 30.06.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N.Mohan Kumar, P&EI(Retired), Chittoor district through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Chittoor district.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER